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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,685	05/30/2001	Takao Miyazaki	3562-0115P	6040
2292	7590	09/14/2006	EXAMINER YE, LIN	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			ART UNIT 2622	PAPER NUMBER

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/866,685	MIYAZAKI, TAKAO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lin Ye	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2-19 and 24-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-19 and 24-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/28/06 has been entered.
2. Applicant's arguments with respect to new claims 2-19 and 24-42 filed on 7/28/2006 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16, 17 and 2-15, 18-19 and 24-42 rejected under 35 U.S.C. 103(a) as being unpatentable over Pavley U.S. Patent 6,317,141 in view of Oashi et al. U.S. Patent 5,767,845 and Hasegawa et al. U.S. Patent 6,084,169.

Referring to claim 16, the Pavley reference discloses in Figures 1, 4, and 11-21, a method for adjusting an image playback time of a plurality of images (e.g., video data contains a plurality of sequential images as video clips) and a audio playback time of accompanying music to substantially coincide (e.g., as a slide show for multimedia presentation), the method comprising: (a) accepting input of instructions for selecting images (Figure 5, step 500) and audio to be played back (Figures 8 and 9A-B); (b) setting at least one of images to be played back, an image playback time for playing back said images, audio to be played back, movies (video) to be played back, a total playback time, a audio genre, a screen switching method, and a mixing level (see editing screens from Figure 12-18), wherein said audio is prepared separately from said images (e.g., the Pavley reference shows two separate editing screen, one is a video editing screen 430 for editing the only prepared plurality of images, and another is a audio editing screen 450 for editing the only prepared audio file. The both audio and image data in the editing screens are prepared independently and separately by user's desire); (c) obtaining at least one of said image playback time and said audio playback time from said setting of said images and said setting of said audio (See Col. 12, lines 10-15); (d) adjusting at least one of said obtained image playback time and said obtained audio playback time to make a period first playback time, which is the playback time for the images substantially coincide with a period of a second playback time, which is the playback time for said audio, wherein said first playback time is defined based on the

number of said images and on a playback time is defined based on the number of said images and on a playback time for each of said plurality of images (e.g., each of the media objects for multimedia Slide Show presentation can include a plurality components: images, audio, video and texts. When the user edits media object to be played back, the playback time of the plurality of images as video clips and the playback time of the audio are prepared separately by the user as shown in Figures 13 and 18. The user edits the play back time of the media object, and one of play back time types is a fixed duration, such as 3 seconds, or the user overrides the duration setting by manually playing the next media object. The setting causes the media object to be played for the duration of the associated audio, see Col. 16, lines 1-6. This means that a first playback time for playback of the plurality of images substantially coincide with a period of a second playback time for the separately prepared music based on the number of images and a playback time for each of the plurality of images. Because the images, video and audio are the **properties** of the media object, the play back time of media object is same as the video playback time and also same as the audio playback time inherently), said achieving backup-tuned images (video clips) with coinciding image playback and music playback times (e.g. all the playback time of the components associated in the media object, such as video and audio coincide with the playback time of the media object, see Col. 15, lines 59-67 and Col. 16, lines 1-10 and Col. 15, lines 65-67); and (e) processing at least one of the images and the audio after said adjusting of at least one of said obtained image playback time and said obtained audio playback time (e.g., generating a slide show presentation, see Col. 16, lines 1-10). However, the Pavley references does not explicitly show a detail wherein said audio data is segmented into a plurality of sub-sections

and said setting step (b) sets the playback time for playing back said images by synchronizing timing for switching images with a beginning of each sub-section of said audio data.

The Oashi reference discloses in Figure 10, a method for adjusting an image playback time of a plurality of images and a audio playback time of accompanying music to substantially coincide, the method comprising: the audio data is segmented into a plurality of sub-sections (e.g., A1.. Ai.. Aj...) and sets the playback time for playing back said images by synchronizing timing for switching images with a beginning of each subsection of the audio data (See Col. 14, lines 30-39). The Oashi reference is evidence that one of ordinary skill in the art at the time to see more advantages for the multi-media system having more flexible option to generate a method for adjusting an image playback time and audio playback, such as audio data is segmented into a plurality of sub-sections and setting the playback time for playing back said images by synchronizing timing for switching images with a beginning of each sub-section of said music so that the multi-media data can be created easily (See Col. 3, lines 26-32). For that reason, it would have been obvious to one of ordinary skill in the art to modify the method of Pavley ('141) for segmenting audio data into a plurality of sub-sections and said setting step (b) sets the playback time for playing back said images by synchronizing timing for switching images with a beginning of each sub-section of said audio data as taught by Oashi ('845).

The Pavley reference also does not explicitly shows the audio is music or just simply voice.

The Hasegawa reference teaches in Figures 2 and 14, an automatically music composing system including cameras (video camera 1401, digital camera 1403 as the image input device 201, see Col. 8, lines 19-25) for entering moving images or still images; and the background music is automatically composed using the parameter and scene reproduction time, and the composed background music is output along with the moving or changing image (See Col. 1, lines 62-67 and Col. 2, lines 1-5 and 59-67). The Hasegawa reference is evidence that one of ordinary skill in the art at the time to see more advantages for digital camera system having more flexible option to generate a multimedia presentation slide show that can output any type of audio such music or voice together with the moving or changing images. For that reason, it would have been obvious to one of ordinary skill in the art to modify the audio playback module of Pavley ('141) becoming a music playback module as taught by Hasegawa ('169), so that the editing module of Pavley ('141) can edit the separately prepared music and the plurality of images.

Referring to claim 17, the Pavley reference discloses in Figures 1, 4, and 11-21, an image and music playback apparatus for playing back images (100, see Col. 2, lines 65-67), comprising: an image playback module (e.g., the cues 438 displayed across the top of the movie graph 432 as an image playback module in the video editing screen 430 are associated with a video playback time, see Figures 13-17, and Col. 13, lines 65-57) for playing back a plurality of images (e.g., video data contains a plurality of sequential images as video clips) accompanied by music prepared separately (e.g., the Pavley reference shows two separate editing screen, one is a video editing screen 430 for editing the only prepared plurality of images, and another is a audio editing screen 450 for editing the only prepared audio file.

The both audio and image data in the editing screens are prepared independently and separately by user's desire) from said plurality of images in a first playback time (video duration); a audio playback module (e.g., the cues 438 displayed across the top of the audio waveform 452 as an audio playback module in the video editing screen 450 are associated with a audio playback time, see Figure 18, and Col. 43, lines 45-52) for playing back said audio in a second playback time; and an editing section (the user pressing the "Edit" soft key 206b as an editing module including a video editing screen 430 and a audio editing screen 450) connected to said image playback module and said audio playback module for making a period of said first playback time substantially coincide with a period of said second playback time, said editing section defining said first playback time based on the number of said images and on a playback time for each of said plurality of images, when sequentially playing back said plurality of images (e.g., each of the media objects for multimedia Slide Show presentation can include a plurality components: images, audio, video and texts. When the user edits media object to be played back, the playback time of the plurality of images as video clips and the playback time of the audio are prepared separately by the user as shown in Figures 13 and 18. The user edits the play back time of the media object, and one of play back time types is a fixed duration, such as 3 seconds, or the user overrides the duration setting by manually playing the next media object. The setting causes the media object to be played for the duration of the associated audio, see Col. 16, lines 1-6. This means that a first playback time for playback of the plurality of images substantially coincide with a period of a second playback time for the separately prepared music based on the number of images and a playback time for each of the plurality of images. Because the images, video and audio are



the **properties** of the media object, the play back time of media object is same as the video playback time and also same as the audio playback time inherently), said achieving backup-tuned images (video clips) with coinciding image playback and music playback times (e.g. all the playback time of the components associated in the media object, such as video and audio coincide with the playback time of media object, see Col. 15, lines 59-67 and Col. 16, lines 1-10 and Col. 15, lines 65-67); and (e) processing at least one of the images and the audio after said adjusting of at least one of said obtained image playback time and said obtained audio playback time (e.g., generating a slide show presentation, see Col. 16, lines 1-10). However, the Pavley references does not explicitly show a detail wherein said audio data is segmented into a plurality of sub-sections and said setting step (b) sets the playback time for playing back said images by synchronizing timing for switching images with a beginning of each sub-section of said audio data.

The Oashi reference discloses in Figure 10, a method for adjusting an image playback time of a plurality of images and a audio playback time of accompanying music to substantially coincide, the method comprising: the audio data is segmented into a plurality of sub-sections (e.g., A1.. Ai.. Aj...) and sets the playback time for playing back said images by synchronizing timing for switching images with a beginning of each subsection of the audio data (See Col. 14, lines 30-39). The Oashi reference is evidence that one of ordinary skill in the art at the time to see more advantages for the multi-media system having more flexible option to generate a method for adjusting an image playback time and audio playback, such as audio data is segmented into a plurality of sub-sections and setting the playback time for playing back said images by synchronizing timing for switching images with a beginning of

each sub-section of said music so that the multi-media data can be created easily (See Col. 3, lines 26-32). For that reason, it would have been obvious to one of ordinary skill in the art to modify the method of Pavley ('141) for segmenting audio data into a plurality of sub-sections and said setting step (b) sets the playback time for playing back said images by synchronizing timing for switching images with a beginning of each sub-section of said audio data as taught by Oashi ('845).

The Pavley reference does not explicitly shows the audio is music or just simply voice.

The Hasegawa reference teaches in Figures 2 and 14, an automatically music composing system including cameras (video camera 1401, digital camera 1403 as the image input device 201, see Col. 8, lines 19-25) for entering moving images or still images; and the background music is automatically composed using the parameter and scene reproduction time, and the composed background music is output along with the moving or changing image (See Col. 1, lines 62-67 and Col. 2, lines 1-5 and 59-67). The Hasegawa reference is evidence that one of ordinary skill in the art at the time to see more advantages for digital camera system having more flexible option to generate a multimedia presentation slide show that can output any type of audio such music or voice together with the moving or changing images. For that reason, it would have been obvious to one of ordinary skill in the art to modify the audio playback module of Pavley ('141) becoming a music playback module as taught by Hasegawa ('169), so that the editing module of Pavley ('141) can edit the separately prepared music and the plurality of images.

Referring to claim 2, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respect to claim 17, and the Pavley reference discloses wherein said

editing section comprises an image setting section for selecting said images; and a music (e.g. as discussed in claim 17, **thereafter the audio clip referred as music**) setting section for selecting said music (four-way navigation button 200 for selecting the media objects such as images, audio clips, see Figure 4 and Col. 7, lines 50-65), wherein said editing module adjusts an image playback time to make said image playback time and said music playback time substantially coincide (the media object to be played for the duration of the associated audio, see Col 15, lines 65-67 and Col. 16, lines 1-10), based on said number of said images and said music playback time of said music (audio is inherently a time-based media).

Referring to claim 3, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing section comprises an image playback time-setting section (the editing screens for images and video as shown in Figure 12-17) for setting said playback time of each of said images in to a meta data File (360, in Figure 9A); and a music setting section (four-way navigation button 200 for selecting the media objects such as images, audio clips, see Figure 4 and Col. 7, lines 50-65) for selecting said music, wherein said number of said images is adjusted to make said image playback time and said music playback time substantially coincide, based on said playback time of each of said images and said music playback time of said music (see Col 15, lines 65-67 and Col. 16, lines 1-10 and the comments in claim 2).

Referring to claim 4, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing section comprises an image setting section for setting said number of said images (media objects); and an image playback time-setting section for setting said playback time

(duration of play) of each of said images (as a slide show file in Figure 9A-9B), wherein said music, which is adjusted (in Figure 18, the audio editing screen 450 can adjust the audio playback time associated with the media object to be played, See Col. 14, lines 45-52) so that said image playback time and said music playback time substantially coincide, is edited, based on said number of said images and said playback time of each of said images.

Referring to claim 5, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing section comprises an adjustment section for adjusting said image playback time to substantially coincide with said music playback time, when said image playback time and said music playback time are not substantially the same (As shown in Figures 12-18, the camera has images, video and audio editing screen is capable for adjusting duration of play time and selecting those media type data. After it completes editing and saves to as slide show data file. So all media data including the images and audio can be played coincide as a multimedia presentation see Col. 12, lines 8-10 and Col. 11, lines 29-56).

Referring to claim 6, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claims 17 and 5, and the Pavley reference discloses wherein: said adjustment section includes an image playback time-adjusting section (See properties screen 480 in Figure 21 and video editing screen in Figures 15-17) for adjusting said image playback time; said image playback time-adjusting section includes: an image number-adjusting section for setting said number of said images (selecting the still images and adding to the play list as shown in Figure 9A-9B, see Col. 12, lines 10-13); and an image time-adjusting section for setting said playback time of each of said images, wherein said

image playback time-adjusting section adjusts said image playback time to substantially coincide with said music playback time, based on said image number-adjusting section and said image time-adjusting section (See the comments on claim 2).

Referring to claim 7, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected same comments with claims 4 and 5.

Referring to claim 8, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing module comprises a playback time setting section for setting a time defined by a user as playback time of said images; an image playback time-adjusting section for adjusting said image playback time to substantially coincide with said playback time defined by the user; and a music playback time-adjusting section for adjusting said music playback time to substantially coincide with said playback time defined by the user (e.g., the user can manually using the navigation control during slide show to setting the play back duration time for both image and audio data, see Col. 16, lines 1-10; the variety of functions provided by the editing screens enable the user to edit the audio , video and image media types all which a digital video camera, see Col. 16, lines 41-43).

Referring to claim 9, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing module comprises wherein an image file is created having said music playback time and said image playback time that substantially coincide (See Col. 12, lines 12).

Referring to claim 10, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses a movie

playback module, wherein movies are played back having movie (video) playback time that substantially coincides with said music playback time of said music, said music being separate from said movies (as stand-alone audio clip file) and played back to accompany said movies (See Col. 12, lines 6-17).

Referring to claim 11, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses screen switching-setting section (See edit screen from Figures 11-18) for setting said playback time of each of said images by synchronizing timing for switching images with a specific timing of said music as a slide show.

Referring to claim 12, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claims 17 and 11, and the Pavley reference discloses wherein said specific timing of said music (audio clip files) is at least one of a beginning of each sub-section of said music and a distinctive sound (See Figure 9A as meta data file).

Referring to claim 13, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Hasegawa reference discloses an image processing section (processor 205, see Col. 2, lines 50-51) for setting a process of image switching (see Col. 6, lines 63-67 and Col. 7, lines 58-67) for each genre of said music as shown in Figures 7-8 (e.g., differences background color and foreground color of images associate with difference musical value train aggregations. The each musical value train aggregation can be consider as each genre of the music, see Col. 5, lines 1-34).

Referring to claim 14, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses a movie

(video and audio) playback module, wherein movies and said images are played back such that a total playback time for playing back said plurality of images along with said movies substantially coincides with said music playback time, said music being separate from said movies and played back to accompany said movies and said images (See Col. 12, lines 6-17).

Referring to claim 15, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 14, and the Pavley reference discloses wherein creation information of at least one of said images and said movies is outputted to a file (output a meta data file 360 as shown in Figure 9A-B, see Col. 11, lines 41-47).

Referring to claim 18, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses images editing section includes: an adjustment section having at least one of: an image number-adjusting section for adjusting a number of images (See Figure 4A-B, marking the interested images to play) to be played back; and an image time-adjusting section (See Figure 21, adjusting duration of time to play) for adjusting a time for playing back an image.

Referring to claim 19, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claims 17 and 18, and the Pavley reference discloses an image processing section (computer 112 in Figure 1), connected to said adjustment section (editing screen 114), said image processing section processing said images in concert with said music to be played back; and a music processing section (audio codec120) connected to said adjustment section, said music processing section processing said music (audio or sound) in concert with said images to be played back (See Col. 4, lines 3-8 and Col. 12, lines 26-32).

Referring to claim 24, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 16, and the Pavley reference discloses wherein playback time of each image is determined based on said second playback time and the number of said plurality of images (e.g., as shown in Figures 13-18, the Pavley reference shows two separate editing screen, one is a video editing screen 430 for editing the only prepared plurality of images, and another is a audio editing screen 450 for editing the only prepared audio file. The both audio and image data in the editing screens are prepared independently and separately, inherently, playback time of each image is determined based on said second playback time and the number of said plurality of images according to user's desire as shown in properties screen 480 in Figure 21).

Referring to claim 25, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claims 16 and 24, and wherein a playback time for each of said plurality of images based on a distinctive sound in said music (e.g., selecting different media object as a distinctive sound data as shown in Figure 21).

Referring to claim 26, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claims 16 and 24, and wherein a playback time for each of said plurality of image based on a sub-section of said music (e.g., as shown in Figure 18, a position of playback head 434, and sue locations 436 and 438 that mark the sub-section of said music for playback with the plurality of images).

Referring to claim 27, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected same comments with claim 24.



Referring to claim 28, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected same comments with claim 25.

Referring to claim 29, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected same comments with claim 26.

Referring to claim 30, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 16, and the Pavley discloses wherein said setting step sets a number of images to be played back and a playback time per image (See Figures 12 and 21, image editing Screen and properties Screen) and said adjusting step adjusts said obtained music (audio) playback time so that the music playback time substantially coincides with total image playback time (e.g., the both audio and image data in the editing screens are **prepared independently and separately**, inherently, the audio playback time can be adjusted to so that the audio playback time substantially coincides with total image playback time according to user's desire).

Referring to claim 31, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 16 and the Oashi reference teaches in Figure 10, an improved method of making a movie playback time and a music playback time substantially coincide from the prior art as shown in Figure 1, when said setting step sets total playback time based on a previously designated total playback time, said adjusting step adjusts music playback time and the image playback time based on said total playback time, when total playback time is not previously designed and image playback time per image is set, said adjusts music playback time so that the music playback time substantially coincides with total image playback time, and when total playback time is not previously designated and

image playback time per image is not set, said adjusting step adjusts playback time per image so that total image playback time substantially coincides with music playback time (e.g., the both audio and image data in the Figure 10 are **prepared independently and separately**, total image playback time and music playback time coincide with the media object play time).

Referring to claim 32, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claims 16 and 31, and thereafter the video playback time referred as movie playback time; and the Oashi reference teaches in Figure 10, an improved method of making a movie playback time and a music playback time substantially coincide from the prior art as shown in Figure 1, when total playback time is not previously designated and movie playback time is chosen as a basis for adjustment, said adjusting step music playback time so that the music playback time substantially coincides with the movie playback time; and when total playback time is not previously designated and movie playback time is not chosen as a basis for adjustment, said adjusting step adjust movie playback time so that movie playback time substantially coincides with the music playback time (e.g., dynamic picture image playback adjusting the both audio and image data in the Figure 10 are **prepared independently and separately**, total image playback time and music playback time coincide with the media object play time).

Referring to claim 33, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 16, and the Pavley discloses wherein a user inputs instructions for selecting images and music to be played back using a display screen menu as shown in Figures 11-21 (Slide Show Edit Screens).

Referring to claim 34, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 16, and the Pavley discloses wherein a user inputs instructions for selecting a movie (video) and music (e.g. each slide show includes a plurality of multimedia objects, such as video and audio, see Figure 9A-9B) to be played back using a display screen menu as shown Figures 11-21.

Referring to claim 35, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected with same comments to claims 17 and 31.

Referring to claim 36, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected with same comments to claims 17 and 32, and thereafter the video playback time referred as movie playback time.

Referring to claim 37, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected with same comments to claims 17 and 33.

Referring to claim 38, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected with same comments to claims 17 and 34.

Referring to claim 39, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 16 and the Pavley discloses wherein said method is performed by a digital camera (100) as shown in Figure 1.

Referring to claim 40, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley discloses wherein said apparatus is performed by a digital camera (100) as shown in Figure 1.

Referring to claim 41, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 32, and the Pavley discloses wherein said method is performed by a digital camera (100) as shown in Figure 1.

Referring to claim 42, the Pavley, Oashi and Hasegawa references disclose all subject matter as discussed in respected to claim 36, and the Pavley discloses wherein said apparatus is performed by a digital camera (100) as shown in Figure 1.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (571) 272-7372. The examiner can normally be reached on Mon-Fri 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Lin Ye', with a long horizontal flourish extending to the right.

Lin Ye  
Primary Examiner  
Art Unit 2622

September 11, 2006